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Economic Forum Addresses Energy Developments

by Dorothy Douglas Taft

The Sixth Meeting of the Economic Forum in early June addressed security aspects of energy developments in the OSCE region, and the meeting was followed by the Economic Dimension Implementation Review. Security of energy supplies—as well as the free trade and transit of energy—was a crucial theme interspersed with the other major concerns of efficiency, competitiveness, and environmental safety in a climate of demanding energy needs.

This Economic Forum and Implementation Review, meeting June 1 through 5 in Prague, was the longest in the Forum's history. Department of Energy's Deputy Assistant Secretary John Brodman was head of the U.S. Delegation for the Economic Forum and Department of State's Deputy Assistant

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Photo: Ron McNamara

Commissioner Rep. Steny H. Hoyer (D-MD) addresses the OSCE Parliamentary Assembly in Copenhagen

Parliamentary Assembly Annual Session Focuses on OSCE Institutions, Growing Crisis in Kosovo

by Ron McNamara

The Seventh Annual Session of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE), hosted by the Danish Parliament, the Folketing, was convened in Copenhagen, July 7-10, 1998. A 13-member bipartisan U.S. congressional delegation from the House of Representatives, headed by Chairman Henry J. Hyde (R-IL), participated in the Copenhagen meeting, included Commissioners Matt Salmon (R-AZ), Steny H. Hoyer (D-MD), Louise McIntosh Slaughter (D-NY), and Reps. Martin Olov Sabo (D-MN), Michael G. Oxley (R-OH), David E. Skaggs (D-CO), Bernard Sanders (I-VT), Pat Danner (D-MO), Anna G. Eshoo (D-CA), Alcee Hastings (D-FL), Maurice D. Hinchey (D-NY), and Lucille Roybal-Allard (D-CA). Several members of the U.S. delegation had extensive foreign policy experience and an OSCE background. The United States is entitled to 17 seats in the Assembly, a figure established in 1991. Numerous other delegations in Copenhagen pub-

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The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901.

licly welcomed the participation of these Members as a demonstration of the continued commitment of the United States, and the U.S. Congress, to Europe.

This year's Assembly brought together nearly 300 parliamentarians from 52 OSCE participating States. Eight countries, including the Russian Federation, were represented at the level of Speaker of Parliament or President of the Senate. Previous Annual Sessions of the Assembly were held in Budapest, Helsinki, Vienna, Ottawa, Stockholm, and Warsaw.

A credentials committee was convened prior to the opening of the Copenhagen meeting to consider a dispute over who would represent the Republic of Belarus. The Assembly had dispatched a rapporteur delegation to Belarus, led by Sir Peter Emery (UK), to assess developments on the ground in that country. The delegation visited Minsk on July 2-3 and held a series of meetings with various officials and political leaders. Based on the unanimous recommendation of members of the assessment team and the credentials committee, the Assembly continued to recognize the democratically elected parliament of Belarus (13th Supreme Soviet) which President Aleksandr Lukashenka dissolved following his illegal power grab in 1996. In Copenhagen, the OSCE PA Standing Committee agreed to recommend that a working group be established to bring about the development of democracy in Belarus and in facilitating dialogue and national reconciliation.

The inaugural ceremony included a welcoming address by the Speaker of the Danish Parliament, Ivar Hansen, and a keynote address by the Prime Minister of Denmark, Poul Nyrup Rasmussen. The theme of the Copenhagen meeting was "The Development of the Structures, Institutions and Perspectives of the OSCE."

The Polish Foreign Minister, Professor Bronislaw Geremek, addressed the Assembly in his capacity as OSCE Chairman-in-Office to report on the organization's activities, including the ongoing work of the OSCE Mission to Bosnia-Herzegovina as well as efforts to deal with the growing crisis in Kosovo. Geremek welcomed the election monitoring activities of the Assembly, noting that nearly 700 parliamentarians have observed some 30 elections in the participating States. In response to the Assembly's recommendations for modifying the OSCE's consensus rule, the Chairman-in-Office stressed the value of the requirement for a consensus. "When more than fifty governments represented around the

OSCE table take a decision—all together—unanimously—that is a powerful and very effective decision, and it can be fully implemented," Geremek asserted. He concluded, "consensus is difficult to achieve, but it clearly pays off when it is reached."

The President of the Assembly, Javier Rupérez, extended an invitation for the Albanian leader, Ibrahim Rugova, and parliamentarians from Belgrade to attend the Copenhagen meeting and to contribute to the debate on the crisis in Kosovo. Rugova dispatched a representative who addressed the Assembly on the developing crisis in Kosovo and made an impassioned plea for recognition of independence. Representatives from the Serbian capital chose not to attend. The bellicose Russian ultra-nationalist, Vladimir V. Zhirinovsky, repeatedly interrupted the session arguing that the proceedings were an affront to Serbia. Following an extensive—and at times heated—debate, the Assembly adopted a comprehensive resolution on Kosovo: denouncing military aggression by the Milosevic regime against the beleaguered Albanian population; suggesting the imposition of comprehensive and effective economic sanctions against Belgrade; urging a resumption of negotiations; and, appealing for the reopening of the OSCE Mission of Long Duration to Kosovo, Sandjak and Vojvodina. An amendment sponsored by Members of the U.S. delegation calling for the investigation and prosecution by the International Criminal Tribunal for Former Yugoslavia of crimes against humanity committed in Kosovo was adopted.

In impassioned remarks delivered at the closing plenary session, the House Ranking Member, Mr. Hoyer said, "We cannot wait for shame to motivate the international community to act regarding Kosovo—we must act. We must have learned more from the Bosnian experience to allow that to happen. We must be prepared to intervene decisively—even if that means militarily."

While in Copenhagen, the delegation was briefed by General Wesley K. Clark, Supreme Allied Commander Europe, on developments in the former Yugoslavia, including the ongoing mission of the stabilization force (SFOR) and civilian implementation of the Dayton agreement as well as the operational situation in Kosovo. General Clark led the military negotiations for the Bosnian Peace Accords at Dayton.

Work in the Assembly's three General Committees—Political Affairs and Security; Economic Affairs, Science, Technology and Environment; and Democracy,

Human Rights and Humanitarian Questions—focused on “The Development of Structures, Institutions and Perspectives of the OSCE.” The theme provided a framework for participants to assess the development of OSCE institutions and structures as the organization approaches its 25th anniversary.

Rep. Alcee Hastings played a particularly active role in his capacity as Rapporteur for the General Committee on Political Affairs and Security. His draft report and resolution focused on existing OSCE institutions and structures and avoided calls for the creation of new mechanisms and bodies.

This approach was well received and guided much of the discussion in Copenhagen. An amendment offered by several Members of the U.S. delegation recognizing the contribution of NATO enlargement to the further consolidation of democracy throughout Europe and the strengthening of Euro-Atlantic relations was adopted. Mr. Hastings was unanimously re-elected to another one-year term.

Nearly half of the members of the U.S. delegation, including Chairman Hyde, were active in the General Committee on Economic Affairs, Science, Technology and Environment. The draft report and resolution considered by the Committee recognized the insufficient development of OSCE activities in the economic dimension and the need to identify the risks to security arising from economic, social, and environmental problems, including transnational corruption and crime. In addition, the Committee debated a draft resolution on an Economic Charter setting forth broad goals and guidelines for cooperation among the participating States in the fields of environment and the economy. The Assembly endorsed a U.S. proposal that the OSCE consider convening a ministerial meeting to review practical forms of cooperation to combat corruption and organized crime. Other amendments offered by the delegation, and adopted, highlighted the vital role of business and labor in the development of free market economies.

The General Committee on Democracy, Human Rights and Humanitarian Questions recognized the importance of strengthening and reinvigorating the OSCE’s human dimension and implementation review process, key U.S. objectives. Members of the U.S. delegation expressed alarm by the failure of the participating States to vigorously utilize existing opportunities to review implementation. The delegation repeatedly stressed the

importance of election monitoring activities and the need for governments to implement recommended changes in electoral policies and practices. U.S. amendments were also introduced and adopted urging the participating States to ensure that the human rights of Roma and Sinti are fully respected.

A bilateral meeting between the American and Russian delegations provided an opportunity for Members to raise a number of key U.S. concerns. Speaker of the Russian State Duma, Gennady Seleznev, and his colleagues—representing all major political factions—were seized with developments in Kosovo and the prospects of NATO intervention. The Russians protested the draft resolution on Kosovo as lopsided and aimed almost exclusively against Serbia. Chairman Hyde voiced particular concern over non-proliferation issues and the importance of responsible policies and practices in both countries. On the prospects for ratification of SALT II by the State Duma, Seleznev held out little hope for action in the near term, reiterating Russian objections to a NATO expansion. Mr. Skaggs raised the case of Aleksandr Nikitin, a former Soviet Navy captain being prosecuted for his investigative work exposing nuclear storage problems and resulting radioactive contamination in the area around Murmansk.

The Assembly’s OSCE Prize for Journalism and Democracy was awarded to Timothy Garton Ash, a British writer and journalist who has written extensively on the fall of communism in the countries of Central and Eastern Europe. The prize is awarded annually to journalists who, through their work, have promoted the OSCE principles on human rights and democracy. Previous recipients have been Adam Michnik of Poland and the organization Rapporteurs sans Frontières.

Elections for officers of the Assembly were held during the final plenary. Ms. Helle Degn of Denmark was elected President. Three of the Assembly’s nine Vice-Presidents were elected to three-year terms: Mr. Steny Hoyer, Ms. Tana DeZulueta (Italy), and Mr. Tekin Enerem (Turkey). Others currently serving as Vice-President come from Lithuania, France, Canada, Poland, Russia, and Germany.

The Standing Committee agreed that the Eighth Annual Session of the OSCE Parliamentary Assembly will be held July 6-10, 1999 in St. Petersburg, Russia.

The complete text of the Copenhagen Document may be obtained by contacting the Commission. □

Commissioners Urge Action to Stop the Conflict in Kosovo

by Bob Hand

On August 5, the Helsinki Commission delivered a letter to President Clinton signed by Chairman Sen. Alfonse D'Amato (R-NY) and Co-Chairman Rep. Christopher Smith (R-NJ) calling for "immediate and decisive action to stop the conflict in Kosovo before the ethnic cleansers win." Citing the escalating violence, an increasing number of refugees and the possible resurgent ethnic cleansing efforts of the Yugoslav/Serbian forces, the letter urged President Clinton to "seek an agreement within NATO to act directly against those within Kosovo who are attacking civilian populations." The Co-Chairmen blamed Yugoslav President Slobodan Milosevic for the dramatic escalation of the conflict and warned that this may develop into potentially the "biggest humanitarian catastrophe during the whole period of the Balkan wars."

Many U.S. legislators believe that Milosevic will only start cooperating with the international community in the diplomatic sphere when he is no longer capable of resorting to force for attaining his goals. Therefore, Rep. Smith recently introduced H.Con.Res. 304 that calls for the United States to collect and provide evidence of Milosevic's culpability to the International War Crimes Tribunal in The Hague. Commissioners Reps. Steny H. Hoyer (D-MD), John Edward Porter (R-IL), Benjamin L. Cardin (D-MD), and Louise McIntosh Slaughter (D-NY) and ten other Members co-sponsored the resolution. On July 17, the Senate approved an identical measure, S.Con.Res. 105, introduced by Sen. Alfonse D'Amato and co-sponsored by 16 other senators.

At a press conference held August 7, Mr. Smith, joined by Hoyer, Cardin, and House International Relations Committee Chairman Rep. Benjamin A. Gilman (R-NY), expressed his belief that "Milosevic is guilty of war crimes, crimes against humanity and genocide" for his actions in Croatia, Bosnia and most recently in Kosovo.

The Members said their press conference resulted from the inability of the House to consider H.Con.Res. 304 before its August recess. Mr. Gilman promised to give the resolution, "its full consideration as soon as the Congress returns."

"The United States has played a critical role in world leadership on human rights issues," said Mr. Cardin. "We have stood strong in bringing people to justice for war crimes and must stand strong here against Milosevic."

The international community has been troubled in recent weeks by a "scorched earth" campaign launched by the Serb special police and army troops against a number of ethnic Albanian villages. Rep. Hoyer cited reports from refugees indicating "that Serbian troops are completely destroying villages, burning crops and killing cattle, obviously making it difficult if not impossible for those who have fled the onslaught to return." The UN High Commissioner for Refugees estimated that over 200,000 civilians—one-tenth of the province's total population—has been displaced. According to testimony given before the Commission by humanitarian aid organizations, as winter approaches this refugee problem could become a real humanitarian crisis. Recently evidence also has surfaced of freshly dug mass graves holding more than 500 corpses—hundreds of which are reportedly children—near the town of Orahovac. Human rights investigators are asking for access to the area to confirm the reports.

Milosevic had promised that his forces would cease their attacks on civilians, but immediately thereafter Serbian forces destroyed several villages in the central Drenica area.

Rep. Gilman warned, "It is important that Milosevic fully understands that Congress is supportive of U.S. efforts to curb his vicious assaults on Albanian civilians. Whatever his reasons, wanton attacks on civilians constitute a grave breach of international law."

The Co-Chairmen of the Commission maintain that it is in the interest of the United States to prevent a further escalation of the conflict in Kosovo. They argue, "It is strongly in our interest to prevent this conflict from escalating further rather than to wait until massive atrocities, or the flow of fighting and refugees across international borders, bring other parties into the conflict and compel our involvement under even more difficult conditions." They insist, "The time for action is now." *(Katherine R. Lee contributed to this article.)*

Commissioners Condemn Attack on Akin Birdal

by Ron McNamara

Many in the human rights community were horrified to learn of the shooting of Akin Birdal, President of Turkey's Human Rights Association, by unidentified armed gunmen at his offices in Ankara on May 22. A widely recognized and respected human rights advocate, Mr. Birdal, appeared before the Helsinki Commission in the early 1990s and more recently met with members of a Commission delegation that visited Turkey in January. The Human Rights Association, Turkey's largest human rights monitoring group, has had numerous offices closed down by the Turkish authorities. The Association's leadership, including Mr. Birdal, has been repeatedly targeted for prosecution.

Commission Co-Chairman Rep. Christopher H. Smith (R-NJ) noted that the attack occurred against the backdrop of an ongoing campaign of harassment against human rights NGOs in Turkey. "The attack against Akin Birdal, in a very real sense, is an assault on Turkey's fledgling civil society. The development of a genuine civil society is essential if Turkey hopes to develop into a true democracy," Smith observed. "Instead of viewing human rights advocates like Mr. Birdal as adversaries, Turkey's leaders should embrace these courageous individuals as allies and form a partnership with those dedicated to democracy, human rights, and the rule of law," he concluded.

House Ranking Member Rep. Steny H. Hoyer (D-MD) remarked, "The Government of Turkey has criminalized non-violent human rights advocacy. Security forces and right-wing death squads have collaborated in the murders of human rights activists, journalists, Kurdish dissidents, and others." The shooting of Birdal, Hoyer noted, "is a great tragedy for all who cherish human rights. His steadfast support for peace and non-violence is an inspiration to many in Turkey and abroad."

Commissioner Rep. John Edward Porter (R-IL), who headed the Commission delegation that visited Turkey in January, called upon his colleagues "to join me today in expressing our strong condemnation of this cowardly attack on a defender of human rights, and our demand that his attackers be brought to justice."

At least six individuals have been arrested in connection with the near-fatal armed attack on Birdal at his office in Ankara. The human rights advocate, who sustained a half-dozen gunshot wounds, was released from hospital on June 8. Interviewed shortly before his release, Birdal vowed, "when I am back on my feet, I will continue my struggle for human rights with the utmost strength." □

Opposition Journalist Murdered in Kalmykia

by John Finerty

Larisa Yudina, a prominent investigative journalist from the Republic of Kalmykia in the Russian Federation, was murdered on the evening of June 7 in the Republic's capital, Elista. She had reportedly gone to meet with an unknown caller who had offered to provide her with documents concerning government corruption.

As editor of *Sovetskaya Kalmykia Segodnya* (Soviet Kalmykia Today), the only non-government newspaper in Kalmykia, Yudina had gained prominence for her reporting on corruption and the activities of commercial firms linked to the government of President Kirsan Ilyumzhinov. At her death, the paper was being published outside of Kalmykia, in Stavropol and Volgograd.

In addition to her journalistic work, Yudina had been co-chairperson of the local "Yabloko" organization. At

the request of national party leader Grigory Yavlinsky, a team of federal investigators went to Elista to take part in the investigation. According to a report filed by Eve Conant (Feature Story Productions, Moscow) for National Public Radio, two men, former aides of President Ilyumzhinov, have confessed to the crime. Just before her death, Yudina had described in the Conant interview an attack on her office by security guards working for a bank with ties to the Kalmykian Government.

President Ilyumzhinov is also president of the World Chess Federation. The Executive Director of the Federation quoted a Russian Interior Ministry statement that there was no political motive for the killing and called upon members "not to jump to conclusions before knowing the full facts." □

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Secretary for European Affairs Ron Asmus headed the U.S. delegation for the Review Conference. In addition to specialists from the Departments of State, Commerce, and Energy, the U.S. delegation included three private sector delegates, Edward Chow of Chevron, David Thomas of Lakewood Cogeneration, and Griffin Thompson of the International Institute for Energy Conservation. Several other participating States included representatives from the private sector on their delegations.

The priorities of the U.S. delegation were energy regulatory reform, market restructuring with a move toward transparent, subsidy-free markets, and shedding free trade and investment barriers. A number of discussions focused on certain essentials for energy development, including regulatory and market reform, creating markets conducive and attractive to foreign investors, and the infusion of private sources of finance. Of course, the prospect of acceding to the European Union and other international organizations has prompted many of the countries in transition to make some important, critical decisions in keeping with their commitment to market reforms. Much improvement is still needed to create and undergird critical banking systems and protection for intellectual property rights. One other issue which garnered much attention was the need for further cooperation between energy producing countries and transit countries, which would help establish flexible and stable systems for transmission of the energy. The stumbling blocks for a country's energy development include a lack of clearly defined energy policies vis-a-vis privatization and the failure to make legislative and administrative reforms necessary to create a favorable, relatively predictable investment climate.

With the appointment earlier this year of the OSCE Coordinator of Economic and Environmental Activities,

participating States anticipate a number of advances in OSCE coordination with other international organizations with respect to economic issues, as well as the planning and executing of a limited number of regional seminars in preparation for the seventh Economic Forum in May 1999. As noted by U.S. Ambassador to the OSCE David Johnson, the United States has "never envisaged nor would we now promote an Economic Dimension that seeks to compete with financial and development assistance organizations." Though the Permanent Council decision is outstanding, the working theme of the next Forum is "Security Aspects in the Field of the Environment." Building on this year's Forum, one aspect could be the connection between the environment and energy issues.

The review of the implementation of economic dimension commitments (primarily the 1990 Document of the Bonn Conference on Economic Co-operation in Europe) could be summarized by the fact that considerable progress is being made in the control of inflation, price liberalization and general opening of economies. On the other hand, significant work has yet to be accomplished in much needed legal reform and its enforcement, deregulation and transparency of the market, privatization of factories and agriculture, and overhauling of tax systems. Though a matter of political concern in certain participating States, investment of foreign capital, international assistance in the reform process and fiscal prudence are often critical to effective economic transition which has been more costly and lengthy than had been predicted early in the decade. The U.S. delegation made clear its belief that the OSCE derives enormous strength from the implementation review process, irrespective of which OSCE dimension is at issue. □

Organization Appeals Expulsion of Journalist from Tajikistan

(*Interfax*) The Glasnost Defense Foundation has appealed to Tajik President Imomali Rakhmonov to seek to have the decision declaring NTV reporter Yelena Masyuk *persona non grata* in Tajikistan revoked, ITAR-TASS and Interfax reported on July 28. Tajik authorities said Masyuk's reports "discredit the leadership of Tajikistan . . . , undermine peaceful development of society . . . , and interfere in the internal affairs of a sovereign state." The Glasnost appeal noted that Masyuk is "an internationally known, brilliant journalist," whose "reporting from Tajikistan attracts additional attention" to the country. It said that the "pretext" for declaring her *persona non grata* is "vague and poorly formulated" and that decision "will be a much greater blow against Tajikistan's reputation than the criticism contained in her reports." [Masyuk has testified before the Commission on issues of press freedom in the Russian Federation and received the Committee to Protect Journalists award as the Outstanding Journalist in the World in 1997.] □

OSCE Chair-in-Office Addresses Parliamentary Assembly; Defends Consensus Rule

[*Editor's note:* At past annual sessions, the Parliamentary Assembly has adopted resolutions questioning the consensus rule. In particular, in the 1993 resolution adopted in Helsinki, the Assembly urged the Council of Ministers to adopt "a decision-making procedure which no longer requires consensus or 'consensus-minus-one.'" In subsequent Parliamentary Assembly resolutions, this idea was referred to as "approximate consensus;" it was further suggested by the Assembly that this new form of decision-making could require agreement by countries representing both 90% of membership and of financial contributions for a decision to be adopted.]

The address below was presented July 7 by Bronislaw Geremek, OSCE Chairman-in-Office and Foreign Minister of Poland, at the Seventh Annual Session of the Parliamentary Assembly, in Copenhagen on July 7 (see lead article in *Digest*). The statement is notable, in particular, for its frank defense of the OSCE's consensus rule. CiO Geremek also devoted considerable attention to the growing number of subregional organizations among the OSCE's participating States and announced that he would convene a special meeting devoted to this subject to be held later this year.

Full text of the address follows:

Mr. President, Dear Javier Ruperez; Fellow Parliamentarians; Mr. Speaker; Distinguished Guests; Ladies and Gentlemen.

I am very pleased to be here today and to have this opportunity to share my views with you, to answer your questions, and to have the kind of dialogue with you that I believe should occur on a regular basis between government officials and members of their parliaments.

As a parliamentarian myself, and now also as Foreign Minister and OSCE Chairman-in-Office, I can well appreciate both sides of this dialogue and I can tell you that I welcome this opportunity.

As you may know, as an official of the OSCE I started at the very top. Within a few minutes of being sworn in as the Polish Foreign Minister last October, I presided over an official working lunch of the OSCE Troika meeting in Warsaw as the incoming Chairman-

in-Office. Since that moment, I can assure you that my colleagues and I in the Polish Ministry, as well as in the Troika, have worked very hard to fulfill our responsibilities to the OSCE.

I would also like to say how fortunate I am to have had the Foreign Minister of Denmark, my friend Niels Helveg Petersen, as my predecessor as the OSCE Chairman-in-Office and as my colleague and collaborator in the Troika.

Denmark has played an extraordinarily important role in our Organization, not least as host of the headquarters of the OSCE Parliamentary Assembly.

I am also very pleased that I will hand over my Chairmanship to another Nordic colleague and friend so devoted to European and OSCE affairs: Mr. Knut Vollebaek, Foreign Minister of Norway.

I could talk at length about the great work being carried out by the OSCE and about all of the various projects that are underway. I shall leave part of that, however, to the senior officials of the OSCE who are here today

and who may also brief you and answer your questions after I have finished.

Today, I wish to deal with a number of selected questions, which are related to the activities of the Parliamentary Assembly or may be an interest of it: election monitoring, the OSCE decision-making process (including consensus), the OSCE missions, the regional aspects of security and cooperation, and cooperation between the Parliamentary Assembly and the OSCE institutions.

I want to begin by telling you that the men and women who are working in the OSCE, particularly in the 17 missions of long duration in the field, are doing marvelous work, courageous work, and they are doing it on a very cost-effective basis.

One of the most attractive aspects of the OSCE continues to be that, compared with other multilateral institutions, it is very cheap. It really is a bargain, yet it still suffers from time to time from lack of funds.

I hope that you, as Parliamentarians and as members of an important OSCE institution, will do your best

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"One of the most attractive aspects of the OSCE continues to be that, compared with other multilateral institutions, it is very cheap."
—Bronislaw Geremek

Geremek, *continued from page 73*

to support budgetary requests and requirements of the OSCE when you are considering the budgets of your own Governments each year. The assistance that we provide through our missions in places like Tajikistan, Chechnya, Bosnia and Herzegovina, and other difficult crisis areas saves lives, alleviates human suffering, reduces violence, and provides hope where very little hope seems to exist.

I turn now to election monitoring. I am very aware of the enormous contribution the OSCE Parliamentary Assembly has made to election monitoring in various OSCE countries during the past five years.

The fact that you have sent nearly seven hundred parliamentarians to observe more than thirty elections during this period is strong evidence of your valuable contribution, as well as your commitment, to the OSCE effort to build democratic institutions and democratic parliaments throughout the OSCE area.

As an elected politician myself, I am also well aware of how component parliamentarians are to do this kind of work, since we all quite regularly seek the approval of our constituents at election time.

I commend you for what you have done in this field, and I strongly urge you to continue to be in the forefront of the OSCE's election monitoring projects.

As far as the OSCE missions are concerned, I know that many members of the OSCE Parliamentary Assembly, including Presidents Ruperez and Swaen, have made visits to OSCE missions in the field.

Those who have done so have seen first hand the valuable and important work being carried out by these missions.

Just last week a delegation from the Parliamentary Assembly was in Minsk working with and through the OSCE Working Group that has been established in Belarus.

I want to thank you for the attention that the OSCE Parliamentary Assembly has given to OSCE missions and to encourage all of you to find the time to go into the field to observe the great work being carried out in this extremely important aspect of the broad Organization of which you are members.

I am aware that the decision-making process is at the focus of attention of the Parliamentary Assembly. It has consistently recommended changes in OSCE decision-making procedures, particularly the requirement for unanimous consensus on nearly all decisions.

As an elected politician, as a parliamentarian, and as a member of a coalition government, I certainly understand and sympathize with your point of view.

I would ask, however, that you consider the consensus requirement in a broader context than one of national or parliamentary politics.

Yes, the consensus requirement may be—in many instances—a relative weakness. It may cause delay or even prevent action when it is needed. From time to time, it may frustrate the will of the overwhelming majority. Decisions are sometimes held hostage to parochial or regional disputes or disagreements. And, of course, there are other undesirable results of this cumbersome requirement.

On the other hand, when the more than fifty Governments represented around the OSCE table take a decision—all together—unanimously—that is a powerful and very effective decision, and it can be fully implemented.

Such a decision bears the political weight of all, not just a majority. This is important. And it is very useful in our efforts to reach our goals.

Further, the need to achieve consensus among all OSCE Governments and thus the entire decision-making process requires constant communication and negotiation. Through such communication and negotiation we develop a better understanding of each other. And, of course, it makes it much easier for us to overcome our differences when we understand each other's particular views. This is valuable and it is unique, and it is also a reality.

The consensus rule secures to some extent the democratic nature of the OSCE by upgrading the role of small- and medium-size States. Democracy within international organizations is to be measured differently than inside States since those organizations are composed of equal (in legal terms) and sovereign States. Thus, mechanisms encouraging the stronger to impose their views on the weaker are to be avoided.

I do not say, however, that formal consensus is the only way in which decisions can be reached as a basis for OSCE action.

We have many tools at our disposal, something that gives us flexibility and the ability to act outside the consensus requirement.

As you are aware, formally a decision may be taken, if necessary in the absence of the State concerned, in

cases of clear, gross and uncorrected violations of CSCE commitments, as stipulated at the Third Meeting of the Council, Prague 1992. However, this is a subject of constant discussions, as its results are not necessarily unequivocal, as in the case of the former Yugoslavia.

We also have what is known as the “Moscow Mechanism”, which permits a smaller number of States to act to require an individual State to respond to allegations of noncompliance with various OSCE commitments. This mechanism, however, has not yet been used.

Individual States can also act unilaterally to seek OSCE assistance or clarification on matters normally regarded as internal disputes.

And, of course, we have OSCE institutions that have mandates and means to act unilaterally in pursuit of their defined missions. I note particularly the excellent work of the High Commissioner on National Minorities, Mr. Max van der Stoep, and I look forward with hopeful expectation to the work of the Representative on Freedom of the Media, Mr. Freimut Duve, your former colleague.

I should also like to underscore the developing role of the OSCE Troika, consisting of three Ministers for Foreign Affairs accompanied by the OSCE Secretary General, who have undertaken special leadership responsibilities within the OSCE. I am pleased to note that the OSCE Parliamentary Assembly is now regularly represented at Troika meetings by its President and Secretary General, who have made important contributions to our deliberations.

Consensus is difficult to achieve, but it clearly pays off when it is reached. We should not concentrate on formal mechanisms for a decision-making process based on consensus. Credibility is a key term in this regard. For example, the more credible the OSCE Chairmanship, the more freedom of action it has, going beyond formal procedures. Credibility, in turn, can be built only on the solid foundations of openness, transparency and predictability.

I might modestly say that one of the effective aspects of the OSCE system is the role of the Chairman-in-Office, which has expanded in both importance and visibility within the international community. I have found

that the moral and political weight of the OSCE has enabled me, as well as my predecessors, to use this position in a sometimes very effective and persuasive manner when dealing with various crises that arise during our mandates.

I would not discount, however, the idea of “approximate consensus” put forward and endorsed by the OSCE Parliamentary Assembly. Such ideas, which emanate from a parliamentary body, are most welcome and represent positive elements in the continuing dialogue between parliamentarians and their Governments. It may be that the time for such an idea and for such a change will come sooner or later.

Certainly, the need to avoid single-country vetoes in the OSCE, as well as in the European Union and even in NATO, has been expressed by many thoughtful statesmen.

We must weigh and consider these ideas, and we must always ensure that more new ideas continue to be put on the table.

I turn now to the question of subregional cooperation and a possible OSCE role in this regard.

The new security environment in Europe is characterized by two reinforcing processes. On the one hand, European security is increasingly indivisible. The security of

each individual state is becoming linked to the overall security situation on the continent. On the other hand, we see a dynamic reemergence of subregional and local ties. From the Barents Sea area, the Baltic Sea region, through Central Europe and the Balkans down to the Black Sea basin, new frameworks and institutions are mushrooming to channel these subregional initiatives.

The subregional cooperation brings a tangible contribution to European security. It is the embodiment of the principle of subsidiarity in security terms. Conceptually, it represents a new phenomenon. What is its added value?

First, subregional frameworks help to reestablish and develop a regional sense of community and common responsibility. They offer an additional platform for political dialogue and concrete cooperation. Such a platform in itself plays a stabilizing role. It helps to overcome old animosities and develop a better mutual un-

Geremek, *continued on page 76*

“Consensus is difficult to achieve, but it clearly pays off when it is reached. We should not concentrate on formal mechanisms for a decision-making process based on consensus. Credibility is a key term in this regard.”

—Bronislaw Geremek

Geremek, *continued from page 75*

derstanding. It is worth while noting that several of these subregional groups are able to cooperate on practical issues, in some cases leaving aside substantial political differences between States.

Second, subregional groups help to release additional political energy and vigor on the part of smaller States. In subregional frameworks their voice is stronger and their interests more easily identifiable. They are more ready and willing to invest their efforts in projects and objectives, which are easy to translate into their immediate interests. It is no coincidence that regional frameworks concentrate so often on such problems as transport, border infrastructure, ecology and energy, where regional interdependence is particularly pronounced.

Third, subregional initiatives offer a useful instrument for adapting all-European standards and instruments to better serve local needs. A good example is the implementation of the provisions of the Dayton Peace Agreement on confidence-building and arms control. The existing European instruments were skillfully translated into subregional arrangements. A new important endeavour based on this pattern is now being developed for the whole region of South-Eastern Europe.

It is not impossible that by being closer to problems, subregional frameworks can develop effective early-warning, conflict-prevention and post-conflict rehabilitation mechanisms. Human rights monitoring and election monitoring are, in my view, some possible areas for such cooperation. For the time being, the potential of subregional frameworks is far from being fully exploited.

Fourth, subregional frameworks help to bridge gaps and institutional divisions and to promote European integration. These frameworks quite logically emerged first of all across the external borders of the European Union and other Western institutions. Multilayered, transboundary cooperative networks counteract the establishment of new dividing lines. Subregional frameworks serve to diminish the consequences of different standards in terms of prosperity, economic performance or political alignment. They are looked upon as preparing the ground for further enlargement of the European Union and other institutions. In other words, they are an important tool in projecting stability and predictability further East.

I would support the increased involvement and assistance of the European Union as well as NATO—through its Partnership for Peace programs—towards subregional initiatives.

The geographical circles that subregional initiatives form happen very often to overlap in Poland. This fact makes us feel a commitment to promote closer cooperation between these subregional frameworks. Exchange of experience and information between them should constitute the order of the day. We are also thinking of how best to conceptualize the contribution of subregional frameworks to European security. This would help in establishing a concrete program of contacts and cooperation between the European organizations and subregional frameworks.

It is with that objective in mind that, in my capacity as the Chairman-in-Office of the OSCE, together with the Foreign Minister of Sweden, I shall soon extend invitations to a seminar on subregional cooperation to be held in Stockholm this October. I count very much on the contribution of the OSCE Parliamentary Assembly to the process of deepening this cooperation.

All of the things that you do as the Parliamentary Assembly and all of the things that we do as the Governments of the OSCE are important and complementary parts of a great and unprecedented international idea. For that is what the OSCE is: it is an idea, an idea about ideals and about goals, and an idea that is unique in diplomatic history. It is an idea resulting in new and flexible instruments for action.

Unlike the United Nations, NATO, the European Union and other established international organizations—the OSCE is not governed by a treaty. It is not bound by international law.

It is a political organization, built on political agreement and on the idea that Governments and citizens of different countries should communicate with each other, and work with each other, to agree on common understandings regarding the rights and responsibilities of citizens and Governments—both among and between themselves, as individuals and as Governments.

It is this idea that holds that—even without treaties or legal documents—there can be cooperation and agreements that will contribute in a positive way to peace, security, cooperation and human rights among all the States and all the peoples of the vast area covered by the more than fifty countries that are participating members of the OSCE.

This OSCE idea contains ideals and goals that are set out in the Helsinki Final Act, the Copenhagen Document, the Charter of Paris and other major political agreements reached at the ministerial and summit levels.

In these documents you will find written expression of these high ideals and noble goals. They guide us in our work, they establish the direction for us to follow, they define the essence of individual political and governmental behavior in the OSCE, and together they compose the basic elements of this very big idea, which is known as the Organization for Security and Cooperation in Europe.

You, as members of the Parliamentary Assembly of the OSCE, are also indispensable components of this very big and very important idea.

And you, as elected representatives of the people, have not only an important role to play in the realization of this idea; you also have a solemn responsibility to help us move towards the goals and in the direction outlined for us in the political documents of the OSCE, beginning with the Helsinki Final Act of 1975 and continuing through many manifestations up to, and including, the resolutions and declarations that you will adopt here in Copenhagen this week.

What you say and what you do as OSCE parliamentarians becomes part of the fabric of the OSCE.

That fabric is a complex one, containing many nations, many peoples, many ideas and many challenges. By participating in the OSCE Parliamentary Assembly, you are accepting those challenges.

You, along with those of us who work in the Governments of the OSCE and along with those who work in the OSCE missions in the field and in the other OSCE institutions in Vienna, Warsaw, Prague and The Hague, are an important part of the OSCE idea and active participants in the continuing struggle to end man's inhumanity to man and to bring peace, security and cooperation to all of our peoples in all of our nations.

For accepting these challenges, and for your willingness to be part of this great OSCE idea, this multifaceted OSCE family, this worthwhile endeavour, I thank you and I am honored to be your colleague in this very useful and very satisfying work.

Before closing, I must say a word about your President, whose term ends in a few days. Javier Ruperez has done an outstanding job. He has worked extremely hard. He has taken the time to travel to all corners of the OSCE world. And, most importantly, he has represented you well, faithfully and effectively at every moment and in every forum where he has carried your banner. I congratulate him on a job well done and express the gratitude of the entire OSCE to him for his great work. □



Challenge to Russian Religion Law Accepted by Constitutional Court

by John Finerty

In response to a challenge filed by the Jehovah's Witnesses community in the Russian city of Yaroslavl, the Russian Constitutional Court has agreed to review the constitutionality of certain provisions of Russia's Law on Freedom of Conscience and Religious Associations of September 26, 1997.

According to a report by Human Rights Without Frontiers in Brussels, the secretariat of the Constitutional Court has determined that the challenge "meets the requirements for filings with the Constitutional Court" and has been forwarded to its judges for review.

The challenge arises from a demand by the Yaroslavl District prosecutor's office that the local Jehovah's Witnesses organization prove that it has existed for at least 15 years, otherwise the authorities will impose restrictions on its work. The plaintiffs view this requirement as a violation of the Russian Constitution's provisions on equal rights and freedoms.

In a related development, RFE/RL *Newsline*, citing the Moscow newspaper *Nezavisimaya Gazeta*, reports that another challenge to the religion law has been filed with the Constitutional Court by "representatives of several religious organizations."

When the revised law on religion was passed by the Russian legislature and signed by President Yeltsin last year, several religious activists and legal specialists in Russia viewed it as unconstitutional and vowed to challenge it in court. Some Russian officials who defended the law overall also saw possible constitutional problems, especially in areas where provisions of the law might be applied retroactively. □

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